

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**BETTY HILL, INDIVIDUALLY AND ON
BEHALF OF ALL HEIRS-AT-LAW AND
WRONGFUL DEATH BENEFICIARIES
OF HARVEY HILL, DECEASED**

PLAINTIFFS

v.

Case No. 3:19cv127-DPJ-FKB

MADISON COUNTY, SHERIFF RANDY TUCKER, et al.

DEFENDANTS

MOTION FOR CONTEMPT

COME NOW, Plaintiffs Betty Hill, et al. (hereinafter "Plaintiffs"), by counsel, and file this, their *Motion for Contempt*, and would show unto the Court the following:

1. On or about April 9, 2019, MS Bureau of Investigation Lt. Troy Travis was served with a *Subpoena duces tecum* via his Captain, Lacarus Oliver, by way of Agent, Michael A. Netherland, requiring him to produce the entire MS Bureau of Investigation file concerning its investigation of the death of Harvey Hill, created and maintained in the MS Bureau of Investigation's Office. Said Autopsy Report was to be provided to Tucker|Moore Group, LLP (now Cochran Firm – MS Delta), P. O. Box 1487, Grenada, MS 38902-1487. *See Subpoena Duces Tecum attached hereto, as Exhibit "A."*
2. The MS Bureau of Investigation via Lt. Troy Travis failed to produce the entire file concerning the death investigation of Harvey Hill, Deceased, despite being properly served via subpoena, and the subpoena being properly executed.
3. That Lt. Troy Travis herein refused to obey the subject subpoena and there is no justification for Lt. Travis' refusal to comply with said subpoena except that he did not desire to do so, and that such refusal on his part was so willful, obstinate

and persistent that he is guilty of contempt of this Court, and should be cited to appear before this Honorable Court to show cause, if any, why he should not be adjudged in contempt thereof.

4. That Lt. Travis herein should be required to pay unto the Plaintiffs, a reasonable sum of attorney's fees for services rendered in this regard, and to be rendered in this cause, in that such services were made necessary as a result of said Lt. Travis' having willfully failed and refused to comply with the provisions of the subject subpoena.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that process be issued hereon for the MS Bureau of Investigation, Director or Lt. Troy Travis, requiring him to appear and respond to this Motion, and that upon such hearing of this cause, this Court will find MS Bureau of Investigation, Director or Lt. Troy Travis in contempt of said subject *Subpoena Duces Tecum*, and will compel MS Bureau of Investigation, Director or Lt. Troy Travis to comply with said subpoena, and perform the following: (1) submit the entire MS Bureau of Investigation file concerning investigation of Harvey Hill's death; (2) that MS Bureau of Investigation, Director or Lt. Troy Travis be required to pay unto Plaintiffs a reasonable amount of attorney's fees and all costs of Court herein; and (3) all other general relief this Court may deem fair and appropriate.

Respectfully submitted, this the 23rd day of April, 2019.

BETTY HILL, ET AL., Plaintiffs

By: /s/ Carlos E. Moore
Carlos E. Moore, MSB# 100685

OF COUNSEL:

TUCKER|MOORE GROUP, LLP

306 Branscome Drive

P. O. Box 1487

Grenada, MS 38902-1487

662-227-9940 – phone

662-227-9941 – fax

Email: carlos@tuckermooreslaw.com

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this date served via the electronic filing system and/or mailed via U. S. Mail, postage pre-paid, a true and correct copy of the above and foregoing to the following:

Rebecca B. Cowan, Esq.
CURRIE JOHNSON & MYERS, P.A.
1044 River Oaks Drive
P. O. Box 750
Jackson, MS 39205-0750
bcowan@curriejohnson.com
Attorney for Defendants

THIS, the 23rd day of April, 2019.

/s/ Carlos E. Moore
CARLOS E. MOORE, ESQ.